

**County of San Diego
Valle De Oro Community Planning Group
P.O. Box 936
La Mesa, CA 91944-0936**

REGULAR MEETING MINUTES: March 16, 2010

LOCATION: Otay Water District Headquarters
Training Room, Lower Terrace
2554 Sweetwater Springs Blvd.
Spring Valley, California 91978-2004

1. CALL TO ORDER: 7:06 PM Jack L. Phillips, presiding Chair

Members present: Brennan, Brownlee, Feathers, Fitchett, Forthun, Henderson, Hewicker, Manning, Phillips, Reith, Ripperger

Absent: Hyatt, Millar, Mitrovich, Wollitz

2. FINALIZE AGENDA: As shown

3. OPEN FORUM: None

4. APPROVAL OF MINUTES: Minutes of March 2, 2010 **VOTE: 9-0-2 to approve.**
Abstained: Feathers, Ripperger

5. LAND USE

- a. P85-101-11W3: Use permit modification to expand and remodel the Steele Canyon Golf Course clubhouse at 3199 Stonefield Drive. Modifications include the following additions: 332 s.f. restroom, 510 s.f. storage off kitchen, 2,754 s.f. open patio deck, 2,050 s.f. storage area under deck.

Presented by FORTHUN. She stated that some aspects of modifications had previously been approved. The project is already built. Code Enforcement was triggered by the shop modifications. The owner didn't realize a permit was required. They are now attempting to bring all modifications and permits current. Dennis Moser of 3802 Quarter Mile Drive in San Diego is the Architect & Planner for the MUP and Mike Winn is the Facility Manager. The Clubhouse has lots of historic deviations so they wrapped them all into one project. The Pro Shop includes 435 SF of storage and 445 SF of management office under the existing roof. They will be improving and changing the kitchen and snack area. The restrooms, planned for future construction, will be 332 SF. The walled off area is not covered by a roof. The new deck off of the covered patio has previously been approved. Any neighbors are quite a distance away. All micro-phoned programs will be cut off at a reasonable hour.

PHILLIPS asked how the parking lot capacity was holding up with new patio. Mr. Winn stated that number of customers has declined over the last 3 years, therefore, parking hasn't been an issue yet and they don't foresee any problems. Occasionally, for certain events, they get overflow. There are several easements and licensing with the homeowners. FORTHUN **moves** to approve the project. (BRENNAN seconds.) **VOTE: 11-0-0** to approve.

6. NEW BUSINESS

- a. POD09-006: Zoning Ordinance Amendment regarding solar and wind energy: new 2-tiered approach to wind turbines; revised definitions; and new renewable energy section consolidating solar and wind regulations.

Presented by PHILLIPS. He discussed the use of the meteorological testing device to determine the quantity and duration of wind for a site in order to determine the feasibility of the site for a wind turbine. Basically, the meteorological testing device is only for temporary use.

Certain portions of our planning area may be in qualifying wind corridors. By right, this allows three 100 foot towers with turbines on top. The only limitation is that the set back must to be equal to the height of the turbines. He spoke to folks in Boulevard and there are problems with noise and safety. In high wind situation they can come apart and create a large debris field. PHILLIPS believes it is insufficient setback since they don't define the noise limits at the property line and they don't define a safety factor. Parcel size should relate to height. MANNING said it might block neighbor's view. Height is unacceptable for a residential setting.

Large wind turbine systems are allowed on at least 5 acres and require a Major Use Permit. Changes from a 4 times setback to just the height of the tower from public roads. They don't discuss scenic corridors or going from 8 times the height to 3 times the height at property lines. A system more than 200 ft in height is required to comply with FAA regulations. They tend to cluster them in an energy farm and to sell the power therefore becoming a commercial use. They may be allowed on a legal lot and there is no limit to the number or height of turbines. An environmental view is to support renewable energy although other environmentalists don't support the potential bird kill. The assumption is that bird kill is not an issue although in a flyway it most definitely is.

A Major Use Permit will allow the opportunity to consider the visual and aesthetic impact. Noise and height limit are not covered by the MUP. Most installations will be out in the country on a large site but may have neighbors who could be impacted. In the Neg Dec they say the noise is a less than significant impact. Not clearly specifying height or noise limits is unacceptable.

It has been ruled that you can't use visual impacts to deny the use of Solar energy systems, which are very desirable. They are allowed "by-right" as long as they are for on-site use. They must be within setbacks. How about visual impacts – state law says it can't be denied for that reason. Are normal setbacks and height limits OK? Offsite use does limit the height for less than 10 acres, which would be the height limit of the specific zone.

For On-site use we agree that "by-right" use is acceptable if loss of sensitive habitat is considered. All Off-site use should require a Minor Use Permit. Most zones for setbacks are minimal (15 feet). A system more than 200' needs FAA approval but again there are no height limits. On 10 acres or less, they reflect the height limits of the on-site use. PHILLIPS **moves** to approve on-site solar energy system requirements with habitat loss consideration, recommend Minor Use Permit for solar offsite use, and to oppose the proposed wind turbine system requirements for the above reasons. (FITCHETT seconds.) **VOTE: 10-0-1** to approve. (Forthrun abstained).

- b. POD09-007: County Code and Zoning Ordinance Amendments establishing for medical marijuana collectives.

Presented by PHILLIPS. FITCHETT **moves** to take no action. HENDERSON seconds.) **VOTE: 11-0-0** to take no action.

- c. Brabham Street: Recertification for radar enforcement of the 35 MPH speed limit in Rancho San Diego. May include proposal to raise the speed limit.

Presented by PHILLIPS. State law has made a new ruling saying that if the speed limit at the 85 percentile is closer to the next highest speed limit, you should increase the speed limit. This street has a collision rate that exceeds any logic. 1 child fatality there. TAC voted to recertify the 35 mph speed limit for radar enforcement.

7. UNFINISHED BUSINESS: None

- 8. CHAIRMAN'S REPORT:** Planning Commission update – we have been able to maintain the zoning per our Community plan.

Annual Community Planning Group training is coming up. The training is required to sustain legal protection.

The improvements on Fuerte at Alzada have not been totally completed, although some features have.

9. ADJOURNMENT 8:20 PM

Submitted by: Jösan Feathers